

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

ANTONIO ROBINSON,	:	
	:	
Plaintiff,	:	Civil Action
	:	No. 5:06-cv-191 (CAR)
v.	:	
	:	
MR. THORPE, <i>et al.</i>	:	
	:	
Defendants.	:	
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ORDER ON MOTION FOR APPOINTMENT OF COUNSEL

Before the Court is the motion of Plaintiff Antonio Robinson for appointment of counsel on appeal (Doc. 87). In civil cases there is no automatic right to appointed counsel. Hunter v. Department of Air Force Agency, 846 F.2d 1314, 1317 (11th Cir. 1988). To determine whether appointment of counsel is required, district courts consider factors such as the merits of the plaintiff's claims, the efforts taken by the plaintiff to obtain counsel, the ability of the plaintiff to understand the relevant legal and factual issues, and the financial capacity of the plaintiff. Id.

The merits of this case do not warrant appointment of counsel. The Court has previously denied Plaintiff's motion to proceed *in forma pauperis* on appeal, finding pursuant to 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith. Doc. 82. The United States Court of Appeals has already denied jurisdiction to hear Plaintiff's appeal of the judgment in his case. That court did, however, remand the case for further review of Plaintiff's post-judgment motion for declaratory judgment. (Doc. 73). That motion was denied for failure to set forth any grounds for relief that from judgment or otherwise request any relief that the Court could grant. A subsequent post-judgment "Motion Demanding for Jury Trial" (Doc. 85) was also denied. These post-judgment motions were

completely meritless, and Plaintiff's appeal of their denial is without merit. Accordingly, his motion for appointment of counsel is hereby **DENIED**.

SO ORDERED, this 17th day of July, 2008.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

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